

CHAPTER 21
LICENSURE OF BARBERS

[Prior to 7/29/87, Health Department[470] Ch 152]
[Prior to 2/20/02, see 645—Chapter 20]

645—21.1(158) Definitions. For purposes of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

“*Board*” means the board of barber examiners.

“*Grace period*” means the 30-day period following expiration of a license when the license is still considered to be active. In order to renew a license during the grace period, a licensee is required to pay a late fee.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Licensee*” means any person licensed to practice as a barber in the state of Iowa.

“*License expiration date*” means June 30 of even-numbered years.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice as a barber to an applicant who is or has been licensed in another state.

“*Reactivate*” or “*reactivation*” means the process as outlined in rule 21.16(17A,147,272C) by which an inactive license is restored to active status.

“*Reciprocal license*” means the issuance of an Iowa license to practice barbering to an applicant who is currently licensed in another state and which state has a mutual agreement to license persons who have the same or similar qualifications to those required in Iowa.

“*Reinstatement*” means the process as outlined in 645—11.31(272C) by which a licensee who has had a license suspended or revoked or who has voluntarily surrendered a license may apply to have the license reinstated, with or without conditions. Once the license is reinstated, the licensee may apply for active status.

645—21.2(158) Requirements for licensure.

21.2(1) The following criteria shall apply to licensure:

a. The applicant shall complete a board-approved application form. Application forms may be obtained from the board Web site (<http://www.idph.state.ia.us/licensure>), directly from the board of office or from the barber school at which the student is enrolled. All applications shall be sent to the Board of Barber Examiners, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

b. The applicant shall complete the application form according to the instructions contained in the application. If the application is not completed according to the instructions, the application will not be reviewed by the board.

c. Each application shall be accompanied by the appropriate fees payable by check or money order to the Board of Barber Examiners. The fees are nonrefundable.

d. The applicant shall present proof of completion of a tenth-grade education or the equivalent. In the event the applicant is a refugee or immigrant from a country where high school records no longer exist, the applicant shall be considered to have met this requirement when the applicant submits an affidavit attesting to the fact that the applicant has met the tenth-grade requirement.

e. The applicant shall provide an official copy of the transcript sent directly from the school to the board showing proof of completion of training at a board-approved barber school.

f. The applicant shall provide verification of license(s) from every state in which the applicant has been licensed as a barber, sent directly from the state(s) to the Iowa board of barbers examiners office.

g. An application for barber examination must be postmarked at least 20 days prior to the examination.

h. The candidate shall take and pass the written and practical examinations required by the board.

i. Licensees who were issued their licenses within six months prior to renewal shall not be required to renew their licenses until the renewal month two years later.

j. Incomplete applications that have been on file in the board office for more than two years shall be:

(1) Considered invalid and shall be destroyed; or

(2) Maintained upon written request of the candidate. The candidate is responsible for requesting the file to be maintained.

21.2(2) Requirements for an instructor's license.

a. An applicant for an instructor's license shall:

(1) Complete all requirements stated in subrule 21.2(1), paragraphs "a" through "c";

(2) Present proof of graduation from an accredited high school or the equivalent thereof;

(3) Be licensed in the state of Iowa as a barber for not less than two years;

(4) Rescinded IAB 11/26/03, effective 12/31/03.

(5) Pass the instructor's examinations administered by the board or its designee.

b. Instructors who were issued their licenses within six months prior to renewal shall not be required to renew their licenses until the renewal month two years later.

c. Incomplete applications that have been on file in the board office for more than two years shall be:

(1) Considered invalid and shall be destroyed; or

(2) Maintained upon written request of the candidate. The candidate is responsible for requesting the file to be maintained.

d. An applicant who met the requirements for an instructor's license except for the examinations may apply for a temporary permit to be an instructor. The temporary permit shall be valid for a maximum of six months from the issue date of the permit and shall not be renewable.

21.2(3) Requirements for a barbershop license. A barbershop shall not operate unless the owner of the barbershop possesses a current barbershop license issued by the board. The following criteria shall apply to licensure:

a. The owner of the barbershop shall complete all requirements in subrule 21.2(1), paragraphs "a" through "c."

b. A barbershop license shall be issued for a specific location. A change in location or site of a barbershop shall result in the cancellation of the existing license and necessitate application for a new license and payment of the fee required by 645—subrule 26.1(9). A change of address without change of actual location shall not be construed as a new site.

c. A barbershop license is not transferable. A change in ownership of a barbershop shall result in the cancellation of the existing license and necessitate application for a new license and payment of the fee required by 645—subrule 26.1(9).

d. A change in the name of a barbershop shall be reported to the board within 30 days of the name change.

e. Upon discontinuance of a barbershop, the barbershop license shall be submitted to the board office within 30 days.

f. A barbershop that was issued a license within six months prior to renewal shall not be required to renew the license until the renewal month two years later.

g. Incomplete applications that have been on file in the board office for more than two years shall be:

(1) Considered invalid and shall be destroyed; or

(2) Maintained upon written request of the candidate. The candidate is responsible for requesting the file to be maintained.

645—21.3(158) Examination requirements for barbers and barber instructors.

21.3(1) The following criteria shall apply to the written and practical examinations.

a. In order to be eligible to take the examinations, the supporting data and documentation required by the board shall be postmarked at least 20 days prior to the examinations.

b. Applicants will be notified of the date and time of the written and practical examinations given by the board of barber examiners.

c. Applicants for barber licenses are required to receive a passing score on the examinations. The score is contingent on receiving a combined score of 70 percent, which is a weighted score based on the following:

(1) For barbers, the practical examination equals 75 percent and the written examination equals 25 percent of the weighted score.

(2) For barber instructors, the practical examination equals 30 percent and the written examination equals 70 percent of the weighted score.

d. The board will notify the applicant in writing of the results of the examinations.

21.3(2) Persons who do not appear on the appointed date assigned to them to take the examinations must notify the board of barber examiners in writing or by telephone to schedule a new appointment date. Examination fees cannot be refunded, but the applicant will not be required to pay the next examination fee if the applicant can show proof that the applicant's inability to take the examinations was not the applicant's fault. Proof of inability to take the examinations shall be submitted to the board office with a written request to reschedule the examinations. An applicant shall be required to pay the reexamination fee if the applicant does not appear for a subsequent examination.

21.3(3) Persons who do not attain the passing score may reapply to take the examinations. Examination fees cannot be refunded, and the applicant shall be required to pay the reexamination fee.

645—21.4(158) Educational qualifications.

21.4(1) The applicant for a barber license must:

a. Present proof of a tenth-grade education or the equivalent; and

b. Present an official copy of the transcript sent directly from the school to the board showing proof of completion of training at a board-approved barber school.

21.4(2) The applicant for a barber instructor license must present proof of meeting the following requirements:

a. Graduation from an accredited high school or the equivalent thereof; and

b. Completion of training at a board-approved barber school.

c. Rescinded IAB 11/26/03, effective 12/31/03.

21.4(3) Foreign-trained barbers shall:

a. Provide an equivalency evaluation of their educational credentials by one of the following: International Educational Research Foundations, Inc., Credentials Evaluation Service, P.O. Box 3665, Culver City, CA 90231-3665, telephone (310)258-9451, Web site www.ierf.org or E-mail at info@ierf.org; or World Education Services (WES) at (212)966-6311, electronically at www.wes.org or by writing to WES, P.O. Box 745, Old Chelsea Station, New York, NY 10113-0745. The professional curriculum must be equivalent to that stated in these rules. A candidate shall bear the expense of the curriculum evaluation.

b. Provide a notarized copy of the certificate or diploma awarded to the applicant from a barber school in the country in which the applicant was educated.

c. Receive a final determination from the board regarding the application for licensure.

645—21.5(158) Licensure by endorsement. An applicant who has been a licensed barber under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office. The board may receive by endorsement any applicant from the District of Columbia or another state, territory, province or foreign country who:

21.5(1) Submits to the board a completed application;

21.5(2) Pays the licensure fee;

21.5(3) Shows evidence of licensure requirements that are similar to those required in Iowa;

21.5(4) Obtains verification(s) from the District of Columbia, any state, territory, province or foreign country where the applicant is licensed. Verification(s) of a current barber license in another state requires:

a. A valid license for at least 12 months in the 24-month period preceding the submission of the application; and

b. The verification(s) must be mailed directly to the board from the District of Columbia, any state, territory, province or foreign country in which licensure was held; and

21.5(5) Takes and passes the written and practical examinations administered by the board.

21.5(6) Provides verification of license(s) from every jurisdiction in which the applicant has been licensed, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification direct from the jurisdiction's board office if the verification provides:

a. Licensee's name;

b. Date of initial licensure;

c. Current licensure status; and

d. Any disciplinary action taken against the license.

645—21.6(158) Licensure by reciprocal agreement. The board may enter into a reciprocal agreement with the District of Columbia or any state, territory, province or foreign country with equal or similar requirements for licensure of barber applicants.

645—21.7(158) Temporary permits to practice barbering. An applicant must meet the following requirements:

1. The applicant is applying for initial licensure and is not licensed in another state.

2. The applicant has met the requirements for licensure except for the examinations. The temporary permit is valid from the date the application is completed for a maximum of six months and shall not be renewable.

645—21.8(158) Demonstrator's permit. The board may issue a demonstrator's permit to a licensed barber for the purpose of demonstrating barbering to the public. The following criteria apply to the demonstrator's permit:

1. A demonstrator's permit shall be valid for a barbershop, person or an event. The location, purpose and duration shall be stated on the permit.

2. A demonstrator's permit shall be valid for no more than 10 days.

3. A completed application shall be submitted on a form provided by the board at least 30 days in advance of the intended use dates.

4. An application fee shall be submitted as set forth in these rules.

5. No more than four permits shall be issued to any applicant during a calendar year.

645—21.9(158) License renewal.

21.9(1) The biennial license renewal period for a license to practice barbering shall begin on July 1 of each even-numbered year and end on June 30 of each even-numbered year. All licensees shall renew on a biennial basis. The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license. The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

21.9(2) A licensee seeking renewal shall:

- a. Meet the continuing education requirements of rule 645—24.2(158). A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and
- b. Submit the completed renewal application and renewal fee before the license expiration date.
- c. Persons licensed to practice as barbers shall keep their renewal licenses displayed in a conspicuous public place at the primary site of practice.
- d. Individuals who were issued a license within six months of the license renewal date will not be required to renew their licenses until the next renewal two years later.

21.9(3) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in 645—subrule 26.1(11). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

21.9(4) Upon receiving the information required by this rule and the required fee, board staff shall administratively issue a two-year license and shall send the licensee a wallet card by regular mail. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration or disciplinary investigation.

21.9(5) Inactive license. A licensee who fails to renew the license by the end of the grace period has an inactive license. A licensee whose license is inactive continues to hold the privilege of licensure in Iowa, but may not practice as a barber in Iowa until the license is reactivated. A licensee who practices as a barber in the state of Iowa with an inactive license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

645—21.10(272C) Exemptions for inactive practitioners. Rescinded IAB 8/17/05, effective 9/21/05.

645—21.11(272C) Lapsed licenses. Rescinded IAB 8/17/05, effective 9/21/05.

645—21.12(158) Barbershop license renewal.

21.12(1) The biennial license renewal period for a barbershop license shall begin on July 1 of each even-numbered year and end on June 30 of the next even-numbered year.

21.12(2) The renewal application shall be mailed to the barbershop at least 60 days prior to the expiration of the license. Failure to receive the renewal application shall not relieve the barbershop of the obligation to pay the biennial renewal fee on or before the renewal date.

21.12(3) The completed application and renewal fee shall be submitted to the board office before the license expiration date.

21.12(4) The barbershop shall be in full compliance with this chapter and 645—Chapter 22 to be eligible for license renewal.

21.12(5) When all requirements for license renewal are met, a license wallet card will be sent by regular mail.

21.12(6) A barbershop that is issued an initial license within six months prior to the renewal date will not be required to renew the license until the next renewal two years later.

21.12(7) Barbershop license late renewal. If the renewal fee and renewal application are received within 30 days after the license renewal expiration date, the late fee for failure to renew before expiration shall be charged.

21.12(8) Lapsed barbershop license. If the renewal fee is received more than 30 days after the license expiration date, the barbershop license is lapsed. To reinstate the barbershop license, the reinstatement fee, renewal fee for each year the license is lapsed and the late fee shall be submitted to the board.

a. After the reinstatement of a lapsed license, the barbershop shall renew at the next scheduled renewal date.

b. A barbershop that has not renewed its license within the required time frame will have a lapsed license and shall not provide services until the license is reinstated.

645—21.13(147) Duplicate certificate or wallet card.

21.13(1) A duplicate wallet card or duplicate certificate shall be required if the current wallet card or certificate is lost, stolen or destroyed. A duplicate wallet card or duplicate certificate shall only be issued under such circumstances.

21.13(2) A duplicate wallet card or duplicate certificate shall be issued upon receipt of the completed application and receipt of the fee as specified in rule 645—26.1(147,158).

21.13(3) If the board is notified by the holder of the barber license that the wallet card or certificate has not been received within 60 days after being mailed by the board, no fee shall be required for issuing the duplicate wallet card or certificate.

645—21.14(147) Reissued certificate or wallet card. The board shall reissue a certificate or current wallet card to a licensee or a licensed barbershop upon:

1. Receipt of a written request from the holder of the barber license;
2. Return of the current certificate or wallet card or both the certificate and wallet card; and
3. Payment of the fee(s) as specified in rule 645—26.1(147,158).

645—21.15(272C) License denial.

21.15(1) When the board denies an applicant licensure, the board shall notify the applicant of the denial in writing, by certified mail, return receipt requested, or in the manner of service of an original notice, and shall cite the reasons for which the application was denied.

21.15(2) An applicant who has been denied licensure by the board may appeal the denial and request a hearing on the issues related to the licensure denial by serving a written notice of appeal and request for hearing upon the board by certified mail, return receipt requested, not more than 30 days following the date of mailing of the notification of licensure denial to the applicant. The request for hearing shall specifically describe the facts to be contested and determined at the hearing.

21.15(3) If an applicant who has been denied licensure by the board appeals the licensure denial and requests a hearing pursuant to this rule, the hearing and subsequent procedures shall be held pursuant to the process outlined in Iowa Code chapters 17A and 272C and 645—Chapter 11.

645—21.16(17A,147,272C) License reactivation. To apply for reactivation of an inactive license, a licensee shall:

21.16(1) Submit a reactivation application on a form provided by the board.

21.16(2) Pay the reactivation fee that is due as specified in 645—subrule 26.1(12).

21.16(3) Provide verification of current competence to practice as a barber by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of eight hours of continuing education within two years of application for reactivation. An individual whose license was on inactive status prior to September 21, 2005, may reactivate the license between September 21, 2005, and June 30, 2007, by furnishing evidence of current full-time practice in another state of the United States or District of Columbia and completion of substantially equivalent continuing education.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) from every jurisdiction in which the applicant is or has been licensed and is or has been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) to the board office. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. Licensee's name;
2. Date of initial licensure;
3. Current licensure status; and
4. Any disciplinary action taken against the license; and

(2) Verification of completion of eight hours of continuing education within two years of application for reactivation; and

(3) Verification of passing the state examination administered by the board within one year immediately prior to reactivation if the applicant does not have a current license and has not been in active practice in the United States during the past five years. An individual whose Iowa license was on inactive status for more than five years prior to September 21, 2005, may reactivate the license between September 21, 2005, and June 30, 2007, without passing the state examination administered by the board.

645—21.17(17A,147,272C) License reinstatement. A licensee whose license has been revoked, suspended, or voluntarily surrendered must apply for and receive reinstatement of the license in accordance with 645—11.31(272C) and must apply for and be granted reactivation of the license in accordance with 21.16(17A,147,272C) prior to practicing as a barber in this state.

These rules are intended to implement Iowa Code chapters 272C and 158.

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‡Two ARCs